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Rules AND *Regulations*

UNDER THE

WOOL PRODUCTS LABELING ACT OF 1939

PROMULGATED BY THE FEDERAL TRADE COMMISSION

Effective July 15, 1941

Rules AND *Regulations*

UNDER THE

WOOL PRODUCTS LABELING ACT

OF 1939

PROMULGATED BY THE FEDERAL TRADE COMMISSION

Effective July 15, 1941

Appendix A—Wool Products Labeling Act
Appendix B—Release of September 24, 1943, showing illustrations of certain forms of acceptable tags, or labels under Wool Products Labeling Act

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Rules and Regulations under the Wool Products Labeling Act of 1939

PROMULGATED BY THE FEDERAL TRADE COMMISSION

Effective July 15, 1941

DEFINITIONS

RULE 1. ***Terms defined.***—As used in these rules, unless the context otherwise specifically requires—

(*a*) The term "act" means the Wool Products Labeling Act of 1939 (approved October 14, 1940, Public, No. 850, 76th Cong., 3d sess).

(*b*) The terms "rule," "rules," "regulations," and "rules and regulations" mean the rules and regulations prescribed by the Commission pursuant to the act.

(*c*) The definitions of terms contained in section 2 of the act shall be applicable also to such terms when used in rules promulgated under the act. [16 CFR §300.1]

LABELING

RULE 2. ***General requirement.***—Each and every wool product subject to the act shall be marked by a stamp, tag, label, or other means of identification, in conformity with the requirements of the act and the rules and regulations thereunder. [16 CFR §300.2]

RULE 3. ***Required label information.***—The marking of wool products under the act shall be in the form of a stamp, tag, label, or other means of identification, showing and displaying upon the product the required information legibly, conspicuously, and nondeceptively. The information required to be shown and displayed upon the product in the stamp, tag, label, or other mark of identification, shall be that which is required by the act and the rules and regulations thereunder, including the following:

(*a*) The fiber content of the product specified in section 4(*a*)(2)(A) of the act.

(*b*) The maximum percentage of the total weight of the wool product of any nonfibrous loading, filling or adulterating matter as prescribed by section 4(*a*)(2)(B) of the act.

(*c*) The name of the manufacturer of the wool product and/or the name of one or more persons subject to section 3 of the act with respect to such wool product, subject, however, to the provisions of rule 4. [16 CFR §300.3]

RULE 4. *Use of registered number in lieu of manufacturer's name.*—(*a*) The name of the manufacturer need not appear upon the label or mark of identification if the same bears an identification number registered and assigned by the Federal Trade Commission as the mark which identifies the manufacturer and by which said manufacturer undertakes to be bound in respect of such label as fully as though the name of the manufacturer were used in lieu of such number: *Provided, however,* That such label or mark of identification bears, in addition to such number, the name of at least one person who subsequently sells such product to a reseller or to the purchaser-consumer, and the name of such seller, together with the manufacturer's registered number, remains or is set forth upon such label or mark affixed to the product when it is delivered to and received by the purchaser-consumer.

(*b*) *Applications for manufacturer's registered identification number.* Any manufacturer of a wool product residing in the United States desiring to use a manufacturer's registered number in lieu of his name upon the label or mark of identification affixed to the product by him, as provided for in this rule, may make application to the Federal Trade Commission for assignment to him of such registered number or numbers as, and in the form which, the Commission may deem appropriate for use by such manufacturer on the label or mark of identification under the act in lieu of his name, but with fully as binding effect as though his name were used. Such application shall be in writing, duly executed under oath or affirmation, and shall be submitted in quadruplicate and in the following form:

TO THE FEDERAL TRADE COMMISSION,
Washington, D. C.

We, the undersigned, manufacturers of wool products subject to the Wool Products Labeling Act of 1939, residing in the United States and having principal office and

place of business at _____ _____ _____
Street and number; City or county; State or Territory

do hereby make application to the Commission for the assignment of a manufacturer's registered identification number to be used by us on our labels and marks of identification in accordance with requirements of the Commission and the applicable provisions of the rules and regulations under said act.

It is understood by us and hereby agreed that, in the use of any such number assigned by the Federal Trade Commission, such number shall be construed as identifying us and as binding us as fully and in all respects as though our name were used on such labels and marks of identification in lieu of such manufacturer's number.

Dated, signed and executed this ____ day of _____, 19____,

at _____ _____
City or county; State or Territory

_____
Full name of firm

_____
Signature and title of proprietor, partner, or executive officer thereunto duly authorized

Subscribed and sworn to (or affirmed) before me by

_____
Name of proprietor, partner, or executive officer who signed as thereunto duly authorized

this ____ day of _____, 19____.

[NOTARIAL SEAL] _____
Notary public in and for

County of _____

State of _____

My commission expires _____

(*c*) If such applicant is a corporation, the application shall be duly executed in the name of such corporation and in accordance with the requirements of the following form:

In witness whereof the _____, the undersigned
Full legal name of corporation
applicant herein, a corporation chartered and doing business under the laws of the State of _____, having principal office and place of business at _____ _____ _____,
Street and number; City or county; State or territory
has this ____ day of _____, 19____, caused this application to be executed and its name and corporate seal to be hereto affixed.

[CORPORATE SEAL] _____
Full legal name of corporation

Attest: By _____
Signature and title of executive officer

_____
Secretary

On this ____ day of _____, 19____, subscribed and sworn to (or affirmed) before me by _____, who on his oath
Name of subscribing executive officer
(or affirmation) deposes and states that he is _____
Title of executive officer
of the above-named corporation; that he is authorized to sign and has signed the foregoing application for and on behalf of such corporation.

[NOTARIAL SEAL] _____
Notary public in and for

County of _____

State of _____

My commission expires _____

(*d*) The application shall be accompanied by statement of the business conducted by the applicant and designation of the kinds of wool products manufactured or sold by such applicant. [16 CFR §300.4]

RULE 5. ***Types of labeling and methods of affixing marks to product.***—The stamp, tag, label, or other means of identification shall be such as is appropriate to the nature of the product and shall be affixed to the product securely and with sufficient permanency to remain thereon in a conspicuous, clear, distinct and plainly legible condition throughout the sale, resale, distribution and handling incident thereto, and shall remain on or be firmly affixed to the respective product when sold and delivered to purchasers and purchaser-consumers thereof. Where these requirements are met, the stamp, tag, label, or other means of identification may be affixed by having the required information stencilled, imprinted or branded upon the product itself, or placed thereon in the form of a strong, durable label securely sewed or stapled to the product or otherwise securely attached thereto, or by a strong, durable tag securely tied to the product. (See rule 15 for provision as to marking containers or packaging of wool products.) [16 CFR §300.5]

RULE 6. ***Labels to be avoided.***—Stamps, tags, labels, or other marks of identification, which are insecurely attached, or which in the course of offering the product for sale, selling, reselling, transporting, marketing, or handling incident thereto are likely to become detached, indistinct, obliterated, illegible, mutilated, inaccessible, or inconspicuous, shall not be used. [16 CFR §300.6]

RULE 7. ***English language requirement.***—All words, statements and other information required by or under authority of the act and the rules and regulations thereunder to appear on the stamp, tag, label, or other mark of identification, shall appear in the English language. If the product bears any stamp, tag, label, or mark of identification which contains any of the required information in a language other than English, all of the required information shall appear both in such other language and in the English language. [16 CFR §300.7]

RULE 8. ***Common generic name of fiber.***—Except where another name is required or permitted under the act, the respective common generic name of the fiber shall be used when naming fibers in the required information; as for example: "wool," "reprocessed wool," "reused wool," "cotton," "rayon," "silk," "linen," "horsehair," "rabbit hair." [16 CFR §300.8]

RULE 9. ***Abbreviations or ditto marks.***—Words or terms in the required information descriptive of fiber content shall not be abbreviated, nor be designated by the use of ditto marks, but shall be spelled out fully; as for example: "wool," "reprocessed wool," "reused wool," "cotton," "rayon." [16 CFR §300.9]

RULE 10. ***Arrangement of label information.***—(*a*) All items or parts of the required information to be shown and displayed in the stamp, tag, label, or other mark of identification of the product, shall be set forth consecutively, in immediate conjunction with each other, and in type or lettering plainly legible and conspicuous; such as for example:

Made of
60% WOOL
40% REUSED WOOL
Exclusive of Ornamentation

Distributed by:
JOHN Q. DOE CO., INC.,
New York, N. Y.

(*b*) If non-required information or representations are placed on the product or in the label or mark of identification, the same shall not in any way be false or deceptive, nor shall such information or representation be set forth or used in such manner as to interfere with the required information. [16 CFR §300.10]

RULE 11. ***Improper methods of labeling.***—The stamp, tag, label, or other mark of identification required under the act, or the required information contained therein, shall not be minimized, rendered obscure or inconspicuous, or be so placed as likely to be unnoticed or unseen by purchasers and purchaser-consumers when the product is offered or displayed for sale or sold to purchasers or the consuming public, by reason of, among others:

(*a*) Small or indistinct type.

(*b*) Failure to use letters and numerals of equal size and conspicuousness in naming all fibers and percentages of such fibers as required by the act.

(*c*) Insufficient background contrast.

(*d*) Crowding, intermingling, or obscuring with designs, vignettes, or other written, printed, or graphic matter. [16 CFR §300.11]

RULE 12. ***Marking of units of merchandise containing two or more pieces.***—(*a*) Except in instances where other form of marking is specifically authorized, the stamp, tag, label, or other mark of identification, shall be attached to and appear upon each garment or separate piece of merchandise subject to the act, irrespective of whether two or more garments or pieces may be introduced into commerce, sold, or marketed together or in combination with each other.

(*b*) *Wearing apparel sold in pairs—hosiery, gloves, mittens, footwear, etc.*—In the case of garments or wearing apparel manufactured for use in pairs and sold, distributed and used in such pairs, the use of more than one label or mark of identification will not be required if both pieces in the pair are of the same fiber composition, grade and quality, are and remain firmly attached to each other when marketed and delivered in the channels of trade and to the purchaser-consumer, and the stamp, tag, label, or mark of identification affixed thereto is clearly applicable to both pieces and supplies the required information prominently in accordance with the act and the rules and regulations thereunder. [16 CFR §300.12]

RULE 13. ***Real name to be shown on label.***—Trade names, trade-marks or other names which do not constitute the legal name of the manufacturer of the wool product or other person required by the act to appear on the stamp, tag, label, or other mark of identification, shall not be used in lieu of or in substitution for the legal name of such manufacturer or other person. Nothing in these rules shall be construed as permitting the use of any corporate, trade, or other name which is false or deceptive. [16 CFR §300.13]

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RULE 14. *Substitute label requirement.*—When necessary to avoid deception, the name of any person other than the manufacturer of the product appearing on the stamp, tag, label, or other mark of identification affixed to such product shall be accompanied by appropriate words showing that the product was not manufactured by such person; as for example:

Manufactured for:_____

Distributed by:_____

_____ Distributors

[16 CFR §300.14]

RULE 15. *Labeling of containers or packaging of wool products.*—The label or mark of required information, as provided in rule 5, shall be affixed to and displayed upon the container, wrapper, binder, or other means of packaging of wool products subject to the act,

(*a*) where marking the product itself is impossible, or where such marking of the product would be inadequate to fully inform purchasers and purchaser-consumers of the required information or to prevent deception; or

(*b*) where the wool product is marketed or sold and delivered in sealed containers which remain unbroken and intact until after delivery of the product to, and receipt thereof by, the purchaser-consumer. Any such product packaged in a sealed container shall also be marked by stamp, tag, label, or other mark of identification showing the required fiber and material content where the product is capable of being so marked and where it is removed from the sealed container, or is likely to be removed therefrom, or the container is opened, for display or sales purposes or for other reasons, prior to purchase by and delivery to the ultimate purchaser-consumer. Where the product bears a label or mark of identification, as provided in rule 5, which is clearly visible to the purchaser when offered for sale, no label or mark of identification need be placed on such container. [16 CFR §300.15]

RULE 16. *Ornamentation.*—Where the wool product contains fiber ornamentation not exceeding 5 percent of the total fiber weight of the product and the stated percentages of fiber content of the product are exclusive of such ornamentation, the stamp, tag, label, or other means of identification shall contain a phrase or statement showing such fact; as for example:

50% WOOL
25% REUSED WOOL
25% COTTON
Exclusive of Ornamentation

Where the fiber ornamentation exceeds 5 percent, it shall be included in the statement of required percentages of fiber content of the product, subject, however, to the right of making sectional disclosure of content under rule 23 where the ornamentation constitutes a distinct section of the product and the provisions of such rule 23 are fully met. [16 CFR §300.16]

RULE 17. *Use of the term "all" or "100 percent."*—Where the fabric or product to which the stamp, tag, label, or mark of identification applies is composed wholly

of one kind of fiber, either the word "all" or the term "100 percent" may be used with the correct fiber name; as for example: "100 percent wool," "all wool," "100 percent reprocessed wool," "all reprocessed wool," "100 percent reused wool," "all reused wool." If any such product is composed wholly of one fiber with the exception of fiber ornamentation not exceeding 5 percent, such term "all" or "100 percent" as qualifying the name of the fiber may be used, provided it is immediately followed by the phrase "exclusive of ornamentation," or by a phrase of like meaning; such as for example:

ALL WOOL
Exclusive of Ornamentation

or

100% WOOL
Exclusive of Ornamentation

[16 CFR §300.17]

RULE 18. *Use of name of specialty fiber.*—In setting forth the required fiber content of a product containing any of the specialty fibers named in section 2(*b*) of the act, the name of the specialty fiber present may be used in lieu of the word "wool": *Provided,* The percentage of each named specialty fiber is given: *And provided further,* That the name of the specialty fiber so used is qualified by the word "reprocessed" or "reused" when the fiber referred to is "reprocessed wool" or "reused wool," as defined in the act. The following are examples of fiber content designation permitted under this rule:

55% ALPACA
45% CAMEL'S HAIR

———

50% REUSED CAMEL'S HAIR
50% WOOL

———

60% REPROCESSED ALPACA
40% RAYON

———

35% REUSED LLAMA
35% REPROCESSED VICUNA
30% COTTON

———

60% COTTON
40% REUSED LLAMA

[16 CFR §300.18]

RULE 19. *Use of terms "mohair" and "cashmere."*—In setting forth the required fiber content of a product containing hair of the Angora goat known as mohair or containing hair or fleece of the Cashmere goat known as cashmere, the term "mohair" or "cashmere," respectively, may be used for such fiber in lieu of the word "wool": *Provided,* The respective percentage of each such fiber designated as "mohair" or "cashmere" is given: *And provided further,* That such term "mohair" or "cashmere" where used is qualified by the word "reprocessed" or "reused" when the fiber referred to is "reprocessed wool" or "reused wool," as defined in the act. The following are examples of fiber content designation permitted under this rule:

50% MOHAIR
50% WOOL

60% REPROCESSED MOHAIR
40% CASHMERE

60% COTTON
40% REUSED CASHMERE

[16 CFR §300.19]

RULE 20. *Use of the term "virgin" or "new."*—The term "virgin" or "new" as descriptive of a wool product or any fiber or part thereof shall not be used when the product or part so described is not composed wholly of new or virgin wool which has never been used, or reclaimed, reworked, reprocessed or reused from any spun, woven, knitted, felted, or manufactured or used product. Products composed of or made from fiber reworked or reclaimed from yarn or clips shall not be described as virgin wool or new wool, or by terms of similar import, regardless of whether such yarn or clips are new or used or were made of new or reprocessed or reused material. [16 CFR §300.20]

RULE 21. *Use of separate label for name.*—The name of the manufacturer or person subject to section 3 of the act with respect to the wool product may be set forth on a label or mark separate from that which contains the statement of fiber and material content of the product where it is not practical to include such name in the label or mark bearing the fiber and material content: *Provided,* That the label or mark bearing said name and the name itself are prominently and conspicuously displayed either in immediate conjunction with, or in close proximity to, such other label or mark and in such manner as will fully inform purchasers and purchaser-consumers of the required information. This rule shall not apply to a manufacturer's registered number provided for in rule 4. [CFR §300.21]

RULE 22. *Marking of samples, swatches, or specimens.*—Where samples, swatches or specimens of wool products subject to the act are used to promote or effect sales of such wool products in commerce, said samples, swatches and specimens, as well as the products themselves, shall be labeled or marked to show their respective fiber contents and other information required by law. [16 CFR §300.22]

RULE 23. *Sectional disclosure of content.*—(*a*) *Permissive.*—Where the wool product is composed of two or more sections which are recognizably distinct and such several sections are of different fiber composition, the required fiber content to be stated upon the stamp, tag, label, or other mark of identification may be separated in the same label or mark in such manner as to show the fiber composition of each section, provided the section to which the respective percentages and fiber designations apply is specifically designated and such disclosure by sections is adequate fully to inform purchasers of the required information.

(*b*) *Mandatory.*—The disclosure by sections as above provided shall be made in all instances where such form of marking is necessary to avoid deception of purchasers and purchaser-consumers. [16 CFR §300.23]

RULE 24. *Linings, paddings, stiffening, trimmings, and facings.*—(*a*) In labeling or marking garments or articles of apparel which are wool products, the fiber content of any linings, paddings, stiffening, trimmings or facings of such garments or articles of apparel shall be given and shall be set forth separately and distinctly in the stamp, tag, label, or other mark of identification of the products,

(1) if such linings, paddings, stiffening, trimmings, or facings purport to contain or are represented as containing wool, reprocessed wool or reused wool; or

(2) if express or implied representations of fiber content of any of such linings, paddings, stiffening, trimmings, or facings are customarily made.

(*b*) In the case of wool products which are not garments or articles of apparel, but which contain linings, paddings, stiffening, trimmings or facings, the stamp, tag, label, or other mark of identification of the product shall show the fiber content of such linings, paddings, stiffening, trimmings, or facings, set forth separately and distinctly in such stamp, tag, label, or other mark of identification.

(*c*) In the case of garments which contain interlinings, the fiber content of such interlinings shall be set forth separately and distinctly as part of the required information on the stamp, tag, label, or other mark of identification of such garment. For purposes of this paragraph (*c*) the term "interlinings" shall not be construed as embracing paddings or stiffening ordinarily used in garments for structural purposes and not for warmth.

(*d*) Wool products which are or have been manufactured for sale or sold for use as linings, interlinings, paddings, stiffening, trimmings, or facings, but not contained in a garment, article of apparel, or other product, shall be labeled or marked with the required information as in the case of other wool products. [16 CFR §300.24]

RULE 25. *Naming fibers not present.*—Words which constitute the name or designation of a fiber which is not present in the product shall not appear in or as a part of the listing or marking of required fiber content on the stamp, tag, label, or other mark of identification affixed to the wool product. [16 CFR §300.25]

RULE 26. *Pile fabrics and products composed thereof.*—The fiber content of pile fabrics or products made thereof may be stated in the label or mark of identification in such segregated form as will show the fiber content of the face or pile and of the back or base, with the percentages of the respective fibers as they exist in the face or pile and in the back or base: *Provided,* That in such disclosure the respective percentages of the face and the back be given in such manner as will show the ratio between

the face and the back. Examples of the form of marking pile fabrics as to fiber content provided for in this rule are as follows:

100% WOOL PILE
100% COTTON BACK

(Back constitutes 60% of fabric
and pile 40%)

Pile—60% REUSED WOOL, 40% WOOL
Back—70% COTTON, 30% RAYON

(Pile constitutes 60% of fabric
and back 40%).

[16 CFR §300.26]

RULE 27. ***Wool products containing superimposed or added nonwoolen fiber.***—Where the product is made wholly of wool, reprocessed wool, or reused wool, with the exception of a nonwoolen fiber in minor proportion which is superimposed or added in certain distinct areas or sections for reinforcing or for other useful purpose, the product may be designated as all wool, all reprocessed wool, or all reused wool, as the case may be, with an exception naming the nonwoolen fiber and giving the percentage thereof and indicating the area or section where superimposed or added for reinforcement or other useful purpose. An illustration of the type of statement provided for in this rule to designate the fiber content of hosiery composed entirely of reused wool, but having 15 percent cotton added to the toe and heel for reinforcement, is as follows:

All reused wool except 15 percent cotton reinforcement added to toe and heel.

[16 CFR §300.27]

RULE 28. ***Products made wholly of miscellaneous reused fibers of undetermined percentages.***—Where a wool product is made of shoddy or material composed wholly of reused miscellaneous fibers of which the respective percentages of the different fibers and the variations thereof are not determined, the following form of disclosure as to fiber content of such wool product, where truthfully applicable, may be used for such classes of merchandise, with the proper percentage figures inserted:

MADE OF REUSED MATERIAL
CONSISTING OF:

NOT LESS THAN ___% REUSED WOOL
NOT MORE THAN ___% COTTON

BALANCE ___% UNKNOWN REUSED FIBERS

or

MADE OF REUSED MATERIAL
CONSISTING OF:

NOT LESS THAN ___% REUSED WOOL
NOT MORE THAN ___% RAYON

BALANCE ___% UNKNOWN REUSED FIBERS

For purposes of this rule undetermined or unascertained amounts of wool or reprocessed wool may be classified and designated as reused wool. [16 CFR §300.28]

RULE 29. ***Garments or products composed of or containing miscellaneous cloth scraps.***—(*a*) For wool products which consist of, or are made from, miscellaneous cloth scraps comprising manufacturing byproducts and containing various fibers of undetermined percentages, the following form of disclosure as to fiber content of such wool products, where truthfully applicable and with appropriate percentage figure inserted, may be used in the stamp, tag, label, or mark of identification of such product:

(1) Where the product contains chiefly cotton as well as woolen fibers in the minimum percentage designated for reused wool:

MADE OF
MISCELLANEOUS CLOTH SCRAPS
COMPOSED CHIEFLY OF COTTON WITH
MINIMUM OF ___% REUSED WOOL

(2) Where the product contains chiefly rayon as well as woolen fibers in the minimum percentage designated for reused wool:

MADE OF
MISCELLANEOUS CLOTH SCRAPS
COMPOSED CHIEFLY OF RAYON WITH
MINIMUM OF___% REUSED WOOL

(3) Where the product is composed chiefly of a mixture of cotton and rayon as well as woolen fibers in the minimum percentage designated for reused wool:

MADE OF
MISCELLANEOUS CLOTH SCRAPS
COMPOSED CHIEFLY OF COTTON AND RAYON
WITH MINIMUM OF ___% REUSED WOOL

(4) Where the product contains chiefly woolen fibers with the balance of undetermined mixtures of cotton, rayon, or other nonwoolen fibers:

MADE OF
MISCELLANEOUS CLOTH SCRAPS
CONTAINING COTTON, RAYON, AND OTHER
NONWOOLEN FIBERS, WITH
MINIMUM OF ___% REUSED WOOL

(*b*) Where the cotton or rayon content or the nonwoolen fiber content mentioned in such forms of disclosure is not known to comprise as much as 50 percent of the fiber content of the product, the words "chiefly of" in the respective form of disclosure specified in this rule shall be omitted.

(*c*) The words "contents are" may be used in the above-mentioned forms of marking in lieu of the words "made of" where appropriate to the nature of the product.

(*d*) For purposes of this rule, undetermined or unascertained amounts of wool or reprocessed wool which may be contained in the product may be classified and designated as reused wool. [16 CFR §300.29]

RULE 30. ***Deceptive labeling in general.***—Products subject to the act shall not bear, nor have used in connection therewith, any stamp, tag, label, mark, or representation which is false, misleading or deceptive in any respect. [16 CFR §300.30]

MANUFACTURER'S RECORDS

RULE 31. ***Maintenance of records.***—In pursuance of the provisions of section 6 of the act, every manufacturer of a wool product subject to the act, irrespective of whether any guaranty has been given or received, shall maintain proper records showing the fiber content, as required by the act, of all such wool products made by such manufacturer. The records so maintained shall show:

(*a*) The percentage of wool, reprocessed wool, and reused wool, and of each kind of fiber other than wool, placed in the respective wool products of such manufacturer in the form of fiber, yarn, fabric, or other form; and

(*b*) Such numbers, information, marks, or means of identification as will identify the said records with the respective wool products to which they relate.

Manufacturers shall also keep and maintain as records under the act all invoices, purchase contracts, orders or duplicate copies thereof, bills of purchase, business correspondence received, factory records, and other pertinent documents and data showing or tending to show (1) the purchase, receipt, or use by such manufacturer of all fiber, yarn, fabric or fibrous material, or any part thereof, introduced in or made a part of any such wool products of said manufacturer; (2) the content, composition or classification of such fiber, yarn, fabric or fibrous material with respect to the information required to appear upon the label of the wool products of such manufacturer; and (3) the name and address of the person or persons from whom such fiber, yarn, fabric or fibrous materials were purchased or obtained by such manufacturer. [16 CFR §300.31]

GUARANTIES

RULE 32. ***Form of separate guaranty.***—The following is a suggested form of separate guaranty under section 9 of the act which may be used, by a guarantor residing in the United States or place subject to its jurisdiction, on and as part of an invoice, bill of sale, or other sales document in which the merchandise covered is listed and specified and shows the date of such document and date of shipment of the merchandise:

We, the undersigned, manufacturers of the above-specified merchandise which is subject to the Wool Products Labeling Act of 1939, hereby guarantee that each such article therein is stamped, tagged, labeled or marked with the fiber content and other information as required by said act, and that none of such articles or products is misbranded within the meaning of said act.

JOHN DOE COMPANY, INC.,
New York, N. Y.

By _____
President

[16 CFR §300.32]

RULE 33. ***Continuing guaranty.***—A continuing guaranty under section 9 of the act, when properly executed and fully conforming to the requirements of the act and the rules and regulations thereunder, may be filed with the Federal Trade Commission. If a continuing guaranty is filed with the Commission, it shall be filed in triplicate, each fully executed, and shall be renewed annually thereafter and at such other times as any change is made in ownership or management of the guarantor. Such guaranty shall be set forth on 8½- by 11-inch sheets of white bond paper of good quality and shall be printed, lithographed, or typed in clearly legible form, with margins of at least 1 inch width on all sides, and with all signatures thereon written in ink. In the event the principal place of business of the guarantor is removed to another address, such change of address shall be reported promptly to the Commission by the guarantor. If the guarantor is a corporation, the guaranty shall be executed in the name of the corporation by an executive officer thereof thereunto duly authorized by the corporation, and shall be attested by the Secretary and the corporate seal affixed thereto. If the business of the guarantor is owned and operated by an individual, it shall be signed and executed by such individual; if owned and operated as a partnership or as an unincorporated association of individuals, it shall be signed and executed on behalf of the partnership or association and the members thereof by one or more of the partners or, in the case of such association, by one or more of the individuals and members actively engaged in the business. The guaranty shall be acknowledged before a notary public in accordance with the prescribed form.[1] The following are prescribed as forms of continuing guaranty:

(Form A—For use by corporations)

CONTINUING GUARANTY UNDER THE WOOL PRODUCTS LABELING ACT OF 1939

The undersigned _____, a corporation residing in the United States, chartered and existing under the laws of the State of _____ and engaged in the business of manufacturing or selling wool products which are subject to the Wool Products Labeling Act of 1939, with principal office and place of business at _____ _____ _____
Street and number City or county State or Territory
does hereby guarantee that every such wool product contained in each shipment or other delivery hereafter made by it pursuant to purchases made by customers will be,

[1] Blank forms of continuing guaranties as needed may be procured from the Commission upon request.

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when so shipped and delivered, properly stamped, tagged, labeled or marked, showing the fiber content and other information required by said act and the rules and regulations thereunder, and that no article or product in any such shipment or delivery will be misbranded within the meaning of the said act.

Dated, signed, and executed this ____ day of _____, 19 ____,

at _____ (City or county) _____ (State or Territory),

[CORPORATE SEAL] _____ (Name of corporation)

_____ (Executive officer authorized to sign)

_____ (Title of executive officer)

Attest:

_____ (Secretary)

STATE OF _____

County of _____ *ss.*

On this ____ day of _____, 19____, before me personally appeared

_____ (Name of executive officer signing) _____ (Title of executive officer)

of _____ (Name of corporation), to me personally known and acknowledged

the execution of the foregoing instrument on behalf of said corporation for the uses and purposes therein stated.

[NOTARIAL SEAL] _____ (Notary public)

My commission expires _____.

(Form B—For use by individuals)

CONTINUING GUARANTY UNDER THE WOOL PRODUCTS LABELING ACT OF 1939

The undersigned, _____, residing in the United States and doing business under the name of _____,

with principal office and place of business at _____ (Street and number)

_____ (City or county) _____ (State or Territory), and engaged in the business of manufacturing or selling wool products which are subject to the Wool Products Labeling Act of 1939, DOES HEREBY GUARANTEE that every such

wool product contained in each shipment or other delivery hereafter made by him pursuant to purchases made by customers will be, when so shipped and delivered, properly stamped, tagged, labeled or marked showing the fiber content and other information required by said act and the rules and regulations thereunder, and that no article or product in any such shipment or delivery will be misbranded within the meaning of said act.

Dated, signed, and executed this ____ day of _____, 19____,

at _____ (City or county) _____ (State or Territory)

_____ (Signature of proprietor)

_____ (Name under which business is conducted)

STATE OF _____

County of _____ *ss.*

On this ____ day of _____, 19 ____, before me personally appeared

the said _____ (Name of proprietor signing), to me known to be the person described in and who executed the foregoing instrument, and acknowledged the execution of the same for the uses and purposes therein stated.

[NOTARIAL SEAL] _____ (Notary public)

My commission expires _____.

(Form C—For business conducted by partnership or unincorporated association)

CONTINUING GUARANTY UNDER THE WOOL PRODUCTS LABELING ACT OF 1939

This is to certify that the undersigned, _____,

together with _____ (Full names of all partners, or if association names of members owning and operating business), all residing in the United States and doing business

under the name and style of _____ (Insert trade name under which business is conducted),

with principal office and place of business at _____ (Street and number)

_____ (City or county) _____ (State or Territory), and engaged in the businesss of manufacturing or selling wool products which are subject to the Wool Products Labeling Act of 1939, DO HEREBY GUARANTEE that every such wool

product contained in each shipment or other delivery hereafter made by them pursuant to purchases made by customers will be, when so shipped and delivered, properly stamped, tagged, labeled or marked showing the fiber content and other information required by said act and the rules and regulations thereunder, and that no article or product in any such shipment or delivery will be misbranded within the meaning of said act.

IN WITNESS WHEREOF, the said _____, being thereunto duly authorized has hereunto subscribed his name and executed this instrument
Name of person executing the guaranty

for and on behalf of said _____ and the members thereof this ____ day of _____, 19____, in _____.
Partnership or association
City or county
State or Territory

_____
Signature of subscribing member

_____
Name of partnership or association

STATE OF _____

County of _____ *ss.*

On this ____ day of _____, 19____, before me personally appeared _____, to me known to be the person described in and who executed the foregoing instrument, and acknowledged the execution of the same in the capacity and for the uses and purposes therein stated.
Name of subscribing member

[NOTARIAL SEAL] _____
Notary public

My commission expires _____ [16 CFR §300.33]

RULE 34. ***Reference to existing guaranty on labels not permitted.***—No representation or suggestion that a wool product is guaranteed under the act by the Government, or any branch thereof, shall be made on or in the stamp, tag, label, or other mark of identification applied or affixed to wool products. [16 CFR §300.34]

GENERAL

RULE 35. ***Hearings under section 4(d) of the act.***—Hearings under section 4(*d*) of the act will be held when deemed by the Commission to be in the public interest. Interested persons may file applications for such hearings. Such applications shall be filed in quadruplicate and shall contain a detailed technical description of the class or classes of articles or products regarding which applicant requests a determination and announcement by the Commission concerning express or implied representations of fiber content of articles or concerning insignificant or inconsequential textile content of products. [16 CFR §300.35]

Promulgated and made effective by the Federal Trade Commission July 15, 1941.

APPENDIX A

TEXT OF WOOL PRODUCTS LABELING ACT OF 1939

[Public, No. 850, 76th Cong., 3d Sess.—S. 162]

[54 Stat. 1128; 15 U.S.C.A., §68]

An Act to protect producers, manufacturers, distributors, and consumers from the unrevealed presence of substitutes and mixtures in spun, woven, knitted, felted, or otherwise manufactured wool products, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this act may be cited as the "Wool Products Labeling Act of 1939."

DEFINITIONS

SEC. 2. As used in this act—

(*a*) The term "person" means an individual, partnership, corporation, association, or any other form of business enterprise, plural or singular, as the case demands.

(*b*) The term "wool" means the fiber from the fleece of the sheep or lamb or hair of the Angora or Cashmere goat (and may include the so-called specialty fibers from the hair of the camel, alpaca, llama, and vicuna) which has never been reclaimed from any woven or felted wool product.

(*c*) The term "reprocessed wool" means the resulting fiber when wool has been woven or felted into a wool product which, without ever having been utilized in any way by the ultimate consumer, subsequently has been made into a fibrous state.

(*d*) The term "reused wool" means the resulting fiber when wool or reprocessed wool has been spun, woven, knitted, or felted into a wool product which, after having been used in any way by the ultimate consumer, subsequently has been made into a fibrous state.

(*e*) The term "wool product" means any product, or any portion of a product, which contains, purports to contain, or in any way is represented as containing wool, reprocessed wool, or reused wool.

(*f*) The term "Commission" means the Federal Trade Commission.

(*g*) The term "Federal Trade Commission Act" means the act of Congress entitled "An act to create a Federal Trade Commission, to define its powers and duties, and for other purposes," approved September 26, 1914, as amended, and the Federal Trade Commission Act approved March 21, 1938.

(*h*) The term "commerce" means commerce among the several States or with foreign nations, or in any Territory of the United States or in the District of Columbia, or between any such Territory and another, or between any such Territory and any State or foreign nation, or between the District of Columbia and any State or Territory or foreign nation.

(*i*) The term "Territory" includes the insular possessions of the United States and also any Territory of the United States.

MISBRANDING DECLARED UNLAWFUL

SEC. 3. The introduction, or manufacture for introduction, into commerce, or the sale, transportation, or distribution, in commerce, of any wool product which is mis-

branded within the meaning of this act or the rules and regulations hereunder, is unlawful and shall be an unfair method of competition, and an unfair and deceptive act or practice, in commerce under the Federal Trade Commission Act; and any person who shall manufacture or deliver for shipment or ship or sell or offer for sale in commerce, any such wool product which is misbranded within the meaning of this act and the rules and regulations hereunder is guilty of an unfair method of competition, and an unfair and deceptive act or practice, in commerce within the meaning of the Federal Trade Commission Act.

This section shall not apply—

(*a*) To any common carrier or contract carrier in respect to a wool product shipped or delivered for shipment in commerce in the ordinary course of its business; or

(*b*) To any person manufacturing, delivering for shipment, shipping, selling, or offering for sale, for exportation from the United States to any foreign country a wool product branded in accordance with the specifications of the purchaser and in accordance with the laws of such country.

MISBRANDED WOOL PRODUCTS

SEC. 4. (*a*) A wool product shall be misbranded—

(1) If it is falsely or deceptively stamped, tagged, labeled, or otherwise identified.

(2) If a stamp, tag, label, or other means of identification, or substitute therefor under section 5, is not on or affixed to the wool product and does not show—

(A) the percentage of the total fiber weight of the wool product, exclusive of ornamentation not exceeding 5 per centum of said total fiber weight, of (1) wool; (2) reprocessed wool; (3) reused wool; (4) each fiber other than wool if said percentage by weight of such fiber is 5 per centum or more; and (5) the aggregate of all other fibers: *Provided,* That deviation of the fiber contents of the wool product from percentages stated on the stamp, tag, label, or other means of identification, shall not be misbranding under this section if the person charged with misbranding proves such deviation resulted from unavoidable variations in manufacture and despite the exercise of due care to make accurate the statements on such stamp, tag, label, or other means of identification.

(B) the maximum percentage of the total weight of the wool product, of any nonfibrous loading, filling, or adulterating matter.

(C) the name of the manufacturer of the wool product and/or the name of one or more persons subject to section 3 with respect to such wool product.

(3) In the case of a wool product containing a fiber other than wool, if the percentages by weight of the wool contents thereof are not shown in words and figures plainly legible.

(4) In the case of a wool product represented as wool, if the percentages by weight of the wool content thereof are not shown in words and figures plainly legible, or if the total fiber weight of such wool product is not 100 per centum wool exclusive of ornamentation not exceeding 5 per centum of such total fiber weight.

(*b*) In addition to information required in this section, the stamp, tag, label, or other means of identification, or substitute therefor under section 5, may contain other information not violating the provisions of this act or the rules and regulations of the Commission.

(*c*) If any person subject to section 3 with respect to a wool product finds or has reasonable cause to believe its stamp, tag, label, or other means of identification, or substitute therefor under section 5, does not contain the information required by this act, he may replace same with a substitute containing the information so required.

(*d*) This section shall not be construed as requiring designation on garments or articles of apparel of fiber content of any linings, paddings, stiffening, trimmings, or facings, except those concerning which express or implied representations of fiber content are customarily made, nor as requiring designation of fiber content of products which have an insignificant or inconsequential textile content: *Provided,* That if any such article or product purports to contain or in any manner is represented as containing wool, this section shall be applicable thereto and the information required shall be separately set forth and segregated.

The Commission, after giving due notice and opportunity to be heard to interested persons, may determine and publicly announce the classes of such articles concerning which express or implied representations of fiber content are customarily made, and those products which have an insignificant or inconsequential textile content.

AFFIXING OF STAMP, TAG, LABEL, OR OTHER IDENTIFICATION

SEC. 5. Any person manufacturing for introduction, or first introducing into commerce a wool product shall affix thereto the stamp, tag, label, or other means of identfication required by this act, and the same, or substitutes therefor containing identical information with respect to content of the wool product or any other products contained therein in an amount of 5 per centum or more by weight and other information required under section 4, shall be and remain affixed to such wool product, whether it remains in its original state or is contained in garments or other articles made in whole or in part therefrom, until sold to the consumer: *Provided,* That the name of the manufacturer of the wool product need not appear on the substitute stamp, tag, or label if the name of the person who affixes the substitute appears thereon.

Any person who shall cause or participate in the removal or mutilation of any stamp, tag, label, or other means of identification affixed to a wool product with intent to violate the provisions of this act, is guilty of an unfair method of competition, and an unfair and deceptive act or practice, in commerce within the meaning of the Federal Trade Commission Act.

ENFORCEMENT OF THE ACT

SEC. 6. (*a*) Except as otherwise specifically provided herein, this act shall be enforced by the Federal Trade Commission under rules, regulations, and procedure provided for in the Federal Trade Commission Act.

The Commission is authorized and directed to prevent any person from violating the provisions of this act in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act were incorporated into and made a part of this act; and any such person violating the provisions of this act shall be subject to the penalties and entitled to the privileges and immunities provided in said Federal Trade Commission Act, in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though the applicable terms and provisions of the said Federal Trade Commission Act were incorporated into and made a part of this act.

The Commission is authorized and directed to make rules and regulations for the manner and form of disclosing information required by this act, and for segregation of such information for different portions of a wool product as may be necessary to avoid deception or confusion, and to make such further rules and regulations under and in pursuance of the terms of this act as may be necessary and proper for administration and enforcement.

The Commission is also authorized to cause inspections, analyses, tests, and examinations to be made of any wool products subject to this act; and to cooperate with any department or agency of the Government, with any State, Territory, or possession, or with the District of Columbia; or with any department, agency, or political subdivision thereof; or with any person.

(*b*) Every manufacturer of wool products shall mantain proper records showing the fiber content as required by this act of all wool products made by him, and shall preserve such records for at least three years.

The neglect or refusal to maintain and so preserve such records is unlawful, and any such manufacturer who neglects or refuses to maintan and so preserve such records shall forfeit to the United States the sum of $100 for each day of such failure, which shall accrue to the United States and be recoverable in a civil action.

CONDEMNATION AND INJUNCTION PROCEEDINGS

SEC. 7. (*a*) Any wool products shall be liable to be proceeded against in the district court of the United States for the district in which found, and to be seized for confiscation by process of libel for condemnation, if the Commission has reasonable cause to believe such wool products are being manufactured or held for shipment, or shipped, or held for sale or exchange after shipment, in commerce in violation of the provisions of this act, and if after notice from the Commission the provisions of this act with respect to said products are not shown to be complied with. Proceedings in such libel cases shall conform as nearly as may be to suits in rem in admiralty, and may be brought by the Commission.

If such wool products are condemned by the court, they shall be disposed of, in the discretion of the court, by destruction; by sale; by delivery to the owner or claimant thereof upon payment of legal costs and charges and upon execution of good and sufficent bond to the effect that such wool products will not be disposed of until properly stamped, tagged, labeled, or otherwise identified under the provisions of this act; or by such charitable disposition as the court may deem proper. If such wool products are disposed of by sale, the proceeds, less legal costs and charges, shall be paid into the Treasury of the United States.

(*b*) Whenever the Commisson has reason to believe that—

(1) Any person is violating, or is about to violate, sections 3, 5, 8, or 9 of this act, and that

(2) It would be to the public interest to enjoin such violation until complaint is issued by the Commission under the Federal Trade Commission Act and such complaint dismissed by the Commission or set aside by the court on review, or until order to cease and desist made thereon by the Commission has become final within the meaning of the Federal Trade Commission Act,

the Commission may bring suit in the district court of the United States or in the United States court of any Territory, for the district or Territory in which such person resides or transacts business, to enjoin such violation, and upon proper showing a temporary injunction or restraining order shall be granted without bond.

EXCLUSION OF MISBRANDED WOOL PRODUCTS

SEC. 8. All wool products imported into the United States, except those made more than twenty years prior to such importation, shall be stamped, tagged, labeled, or otherwise identified in accordance with the provisions of this act, and all invoices of such wool products required under the act of June 17, 1930 (c. 497, title IV, 46 Stat. 719), shall set forth, in addition to the matter therein specified, the information with respect to said wool products required under the provisions of this act, which information shall be in the invoices prior to their certification under said act of June 17, 1930.

The falsification of, or failure to set forth, said information in said invoices, or the falsification or perjury of the consignee's declaration provided for in said act of June 17, 1930, insofar as it relates to said information, shall be an unfair method of competition, and an unfair and deceptive act or practice, in commerce under the Federal

Trade Commission Act; and any person who falsifies, or fails to set forth, said information in said invoices, or who falsifies or perjures said consignee's declaration insofar as it relates to said information, may thenceforth be prohibited by the Commission from importing, or participating in the importation of, any wool products into the United States except upon filing bond with the Secretary of the Treasury in a sum double the value of said wool products and any duty thereon, conditioned upon compliance with the provisions of this act.

A verified statement from the manufacturer or producer of such wool products showing their fiber content as required under the provisions of this act may be required under regulations prescribed by the Secretary of the Treasury.

GUARANTY

SEC. 9. (*a*) No person shall be guilty under section 3 if he establishes a guaranty received in good faith signed by and containing the name and address of the person residing in the United States by whom the wool product guaranteed was manufactured and/or from whom it was received, that said wool product is not misbranded under the provisions of this act.

Said guaranty shall be either (1) a separate guaranty specifically designating the wool product guaranteed, in which case it may be on the invoice or other paper relating to said wool product; or (2) a continuing guaranty filed with the Commission applicable to all wool products handled by a guarantor in such form as the Commission by rules and regulations may prescribe.

(*b*) Any person who furnishes a false guaranty, except a person relying upon a guaranty to the same effect received in good faith signed by and containing the name and address of the person residing in the United States by whom the wool product guaranteed was manufactured and/or from whom it was received, with reason to believe the wool product falsely guaranteed may be introduced, sold, transported, or distributed in commerce, is guilty of an unfair method of competition, and an unfair and deceptive act or practice, in commerce within the meaning of the Federal Trade Commission Act.

CRIMINAL PENALTY

SEC. 10. Any person who willfully violates sections 3, 5, 8, or 9(*b*) of this act shall be guilty of a misdemeanor and upon conviction shall be fined not more than $5,000, or be imprisoned not more than one year, or both, in the discretion of the court: *Provided,* That nothing herein shall limit other provisions of this act.

Whenever the Commission has reason to believe any person is guilty of a misdemeanor under this section, it shall certify all pertinent facts to the Attorney General, whose duty it shall be to cause appropriate proceedings to be brought for the enforcement of the provisions of this section against such person.

APPLICATION OF EXISTING LAWS

SEC. 11. The provisions of this act shall be held to be in addition to, and not in substitution for or limitation of, the provisions of any other act of the United States.

EFFECTIVE DATE

SEC. 12. This act shall take effect nine months after the date of its passage.

SEPARABILITY CLAUSE

SEC. 13. If any provision of this act, or the application thereof to any person, partnership, corporation, or circumstance is held invalid, the remainder of the act and the application of such provision to any other person, partnership, corporation, or circumstance shall not be affected thereby.

EXCEPTIONS

SEC. 14. None of the provisions of this act shall be construed to apply to the manufacture, delivery for shipment, shipment, sale, or offering for sale any carpets, rugs, mats, or upholsteries, nor to any person manufacturing, delivering for shipment, shipping, selling, or offering for sale any carpets, rugs, mats, or upholsteries.

Approved, October 14, 1940.

APPENDIX B

RELEASE ISSUED SEPTEMBER 24, 1943, BY FEDERAL TRADE COMMISSION SHOWING ILLUSTRATIONS OF CERTAIN FORMS OF ACCEPTABLE TAGS OR LABELS UNDER WOOL PRODUCTS LABELING ACT

Retailer's name not required to be shown with manufacturer's registered identification number when accompanied by name of manufacturer set forth on the label in such manner that it cannot be cut off or removed

Representatives of manufacturers of wearing apparel under the Wool Products Labeling Act have requested the Federal Trade Commission to accept as sufficient the use of the manufacturer's registered identification number either alone or accompanied by the name of the manufacturer when set forth on the label or tag, together with the proper statement of content, but omitting the name of the retailer or reseller. Acting upon the matter, the Commission denied the request to permit the use of the manufacturer's number without any name, but took the following favorable action with respect to other parts of such request.

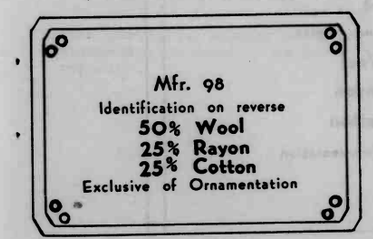
Until further notice, and in the case of labels or tags which comply in all other respects with the act and the rules and regulations thereunder, it will be deemed acceptable by the Commission, where the manufacturer's registered identification number together with the proper content disclosure is displayed properly on the face of the label, if the true name of the manufacturer is printed either on the face of the label or tag or on the back thereof, provided that it is set forth in such a manner that it cannot be cut off, removed or mutilated without destruction of the entire label or without removal, mutilation or obliteration of the content disclosure in whole or in any part; and provided further that, in the case of a label which is sewed or stapled on the product or the container and the name of the manufacturer is set forth on the back thereof, the face of the label shall also clearly and nondeceptively disclose a statement to the effect that identification of the manufacturer is carried on the reverse side.

The foregoing provisions under which the name of the manufacturer may be shown on the back of the label or tag, however, shall not be deemed to apply to labels which are affixed to the product or the container by means of mucilage, glue or other similar adhesive.

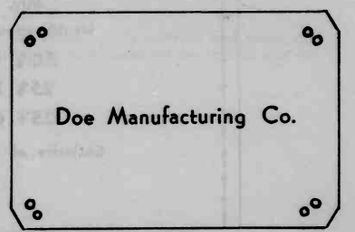
Illustrations of the types of disclosure on labels and tags deemed acceptable under the above are shown as follows:

No. 1

(Cardboard label sewn or stapled to the product having content as shown on label)



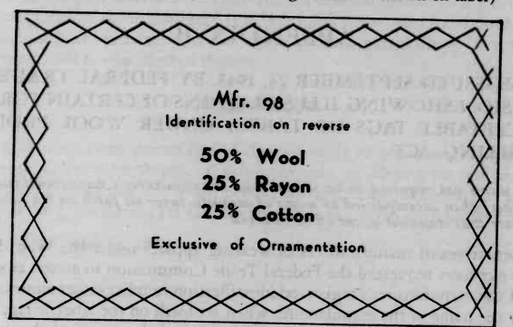
Face of No. 1



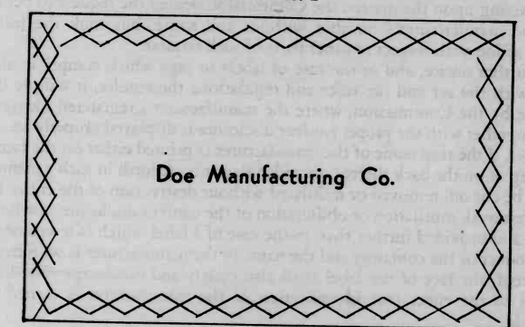
Back of No. 1

No. 2

(Fabric label stitched to product having content as shown on label)



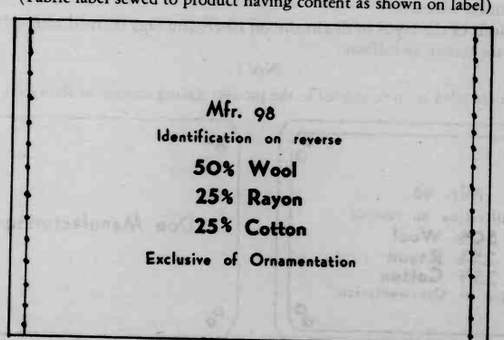
Face of No. 2



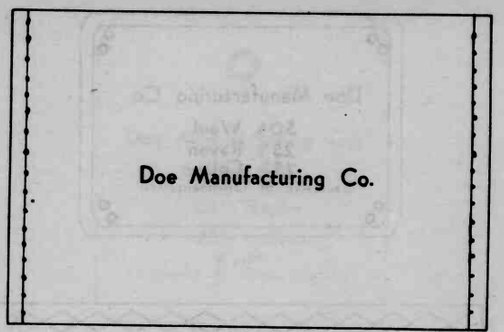
Back of No. 2

No. 3

(Fabric label sewed to product having content as shown on label)



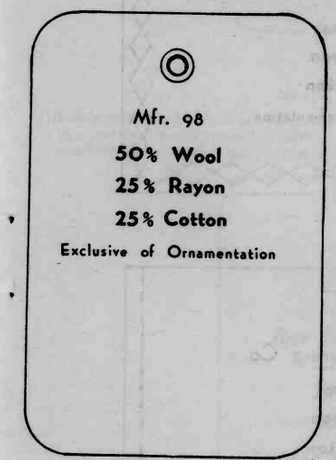
Face of No. 3



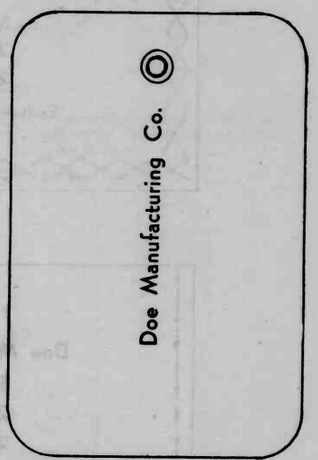
Back of No. 3

No. 4

(Tag attached to product having content as shown on tag)



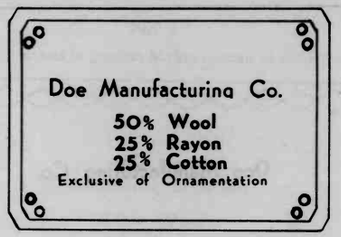
Face of No. 4



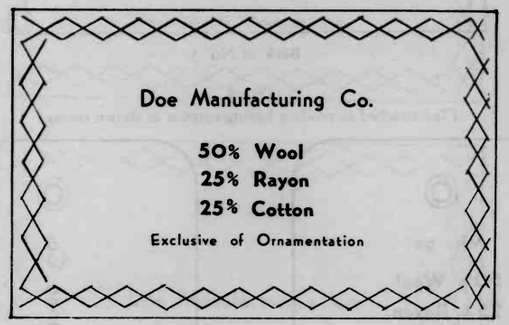
Back of No. 4

Nos. 5, 6, 7, and 8

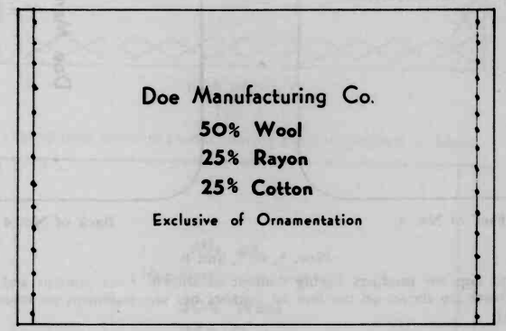
(Labels and tags for products having content as shown. Since content and name of manufacturer are shown on the face no number nor any statement on reverse side is required)



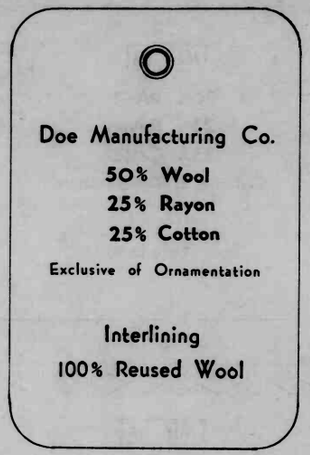
No. 5



No. 6



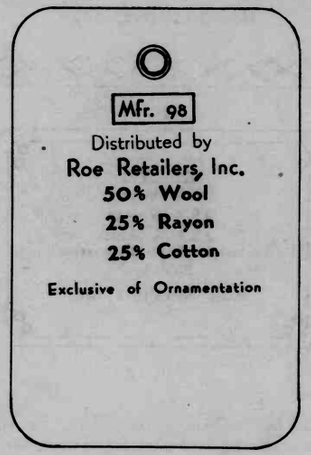
No. 7



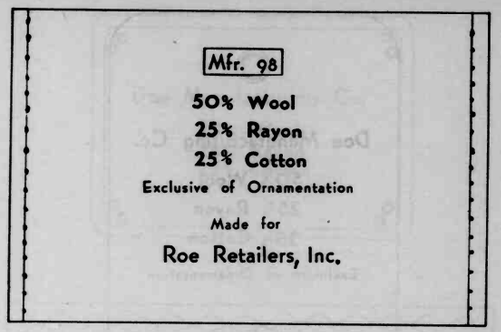
No. 8

Nos. 9, 10, 11, and 12

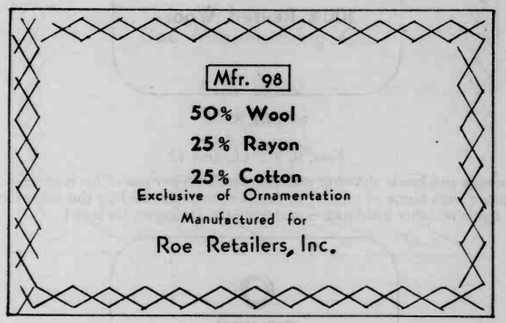
(Illustrative tags and labels showing manufacturer's proper use of his registered identification number with name of retailer or reseller, both inserted by the manufacturer. No number, name or other information is required to be shown on back)



No. 9



No. 10



No. 11

No. 12

It was also made plain by the Commission that use of a manufacturer's registered identification number on the required label, tag or mark without also setting forth a qualified name thereon is not sanctioned; also that use of the number in any unauthorized or improper manner may be deemed cause for cancellation of the number.

September 24, 1943

U. S. Government Printing Office: 1947 O-F

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Stockton, Calif.

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